

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

16 Cr. 207 (KBF)

v.

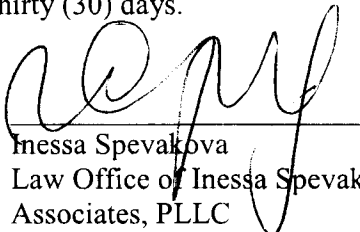
BORIS NAYFELD

NOTICE OF MOTION

SIRS or MADAMS:

PLEASE TAKE NOTICE that, upon the attached Declarations Defendant, Boris Nayfeld, and Eli Kiperman, and the undersigned, dated June 11, 2018, and upon the Memorandum and Exhibits herein, the Defendant moves this Court, Honorable Katherine B. Forrest, District Judge, for an Order pursuant to 18 U.S.C. §3583(e)(2) directing the release of the Defendant's passport and modifying the terms of his supervised release so as to permit him to travel to Russia for a period of thirty (30) days.

Dated: Brooklyn, New York
June 12, 2018



Inessa Spevakova
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TO:

Andrew Thomas
Assistant United States Attorney
Joon H. Kim
United States Attorney for the

Carrie Borona
Senior Probation Officer
U.S. Probation Office
Eastern District of New York

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BORIS NAYFELD


**DECLARATION OF INESSA SPEVAKOVA IN SUPPORT OF DEFENDANT'S
MOTION TO MODIFY**

Inessa Spevakova hereby declares the following, pursuant to 28 U.S.C. §1746:

1. I represent the Defendant, Boris Nayfeld ("the Defendant"), in the above-captioned matter.
2. I submit this Declaration in support of the Defendant's Motion to Modify terms of his Supervised Release so that he may travel to Russia.
3. On December 21, 2007, the Defendant moved for permission to travel to Miami, Florida, while on probation (Exhibit A).
4. On June 9, 2008, the Defendant moved for permission to travel to visit relatives residing in the boundaries of the Northern District of New York and District of New Jersey (Exhibit B).
5. On May 27, 2009, the Defendant's then-counsel wrote to Judge Sifton to ask that the Defendant be permitted to attend a wedding in Staten Island and a friend's dinner anniversary in Brooklyn (Exhibit C).
6. On September 16, 2009, the Defendant's then counsel wrote to Judge Sifton to ask that the Defendant be permitted to leave his residence to visit friends in New Jersey (Exhibit D).

7. On each occasion, the Defendant was permitted to make the trips and did so without incident or infraction.
8. On July 27, 2017, the Defendant appeared for sentencing in this matter (Exhibit E).
9. The undersigned spoke to Assistant United States Attorney Andrew Thomas to learn position of the Government as to the motion.
10. Assistant United States Attorney Andrew Thomas deferred to Senior Probation Officer Carrie Borona.
11. Senior Probation Officer Carrie Borona indicated to the undersigned that she has no objection to Mr. Nayfeld's request to travel.
12. The Defendant's Passport is currently in the possession of the Government and would need to be released for purposes of his international travel should the Court grant this Motion.

Dated: June 12, 2018
Brooklyn, NY



Inessa Spevakova, Esq.
Attorney for Defendant
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